

**BEFORE THE BOARD OF DIRECTORS  
OF THE KINGS RIVER CONSERVATION DISTRICT  
FRESNO, CALIFORNIA**

**RESOLUTION NO. 05-15**

**RESOLUTION OF INTENT TO ADOPT THE LOWER KINGS RIVER BASIN  
COORDINATED GROUNDWATER MANAGEMENT PLAN**

WHEREAS, in 1992, the State Legislature enacted Assembly Bill 3030, declaring groundwater to be a valuable natural resource, and encouraging local agencies to work cooperatively to manage groundwater resources and to adopt and implement groundwater management plans.

WHEREAS, in 2002, the State Legislature also enacted Senate Bill 1938, which further encourages local agencies to coordinate the development and implementation of, groundwater management plans; and

WHEREAS, the Kings River Conservation District (KRCD) Board of Directors supports local management and control of groundwater; and

WHEREAS, KRCD has been the local agency for supporting the development of the Lower Kings Basin Coordinated Groundwater Management Plan (GWMP), and has worked with the numerous public and private entities through the Lower Kings Basin Advisory Panel (BAP); and

WHEREAS, land owners, water agencies, and stakeholders within the Lower Kings Basin share a common groundwater basin and have participated in the BAP to provide input to the GWMP and anticipate seeking funding for groundwater projects from the state; and

WHEREAS, the GWMP contains components as required by the California Water Code Sections (Sections 10753.7), which include:

1. Basin Management Objectives (BMOs);
2. Monitoring and management of groundwater levels;
3. Groundwater quality degradation;
4. Inelastic land surface subsidence;
5. Changes in surface flow and surface water quality that directly effect groundwater levels or quality or are caused by groundwater pumping in the basin;
6. Local agency plan to involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin; and,
7. A map showing the California Department of Water Resources designated groundwater basin (Bulletin 118), also showing the area of the local agency

subject to the plan, and boundaries of the other local agencies that overlie the basin to be included in the groundwater management plan.

WHEREAS, the GWMP also evaluates voluntary components relating to all of the following areas (CWC 10753.8):

- a) The control of saline intrusion.
- b) Identification and management of wellhead protection areas and recharge areas.
- c) Regulation of the mitigation of contaminated groundwater.
- d) The administration of a wellhead destruction program.
- e) Mitigation of conditions of overdraft.
- f) Replenishment of groundwater extracted by water producers.
- g) Monitoring of groundwater extracted by water producers.
- h) Facilitating conjunctive use operations.
- i) Identification of well construction policies.
- j) The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects.
- k) The development of relationships with the state and federal regulatory agencies.
- l) The review of land use plans and coordination with land use planning agencies to assess activities, which create a reasonable risk of groundwater contamination.

WHEREAS, nothing in the state law (CWC 10753.9) shall be construed as authorizing KRCD to make any binding determination of the water rights of any person or entity, and nothing in state law (CWC 10753.1), or in the GWMP adopted pursuant to this part, affects surface water rights or the procedure under common law or local groundwater authority, or any provision of law other than this part that determines or grants surface water rights; and

WHEREAS, state law does not allow an agency to obtain certain funds without being covered by or in a GWMP that meets state requirements; and

WHEREAS, coverage by the GWMP is voluntary and only to be provided to those agencies and organizations in the Lower Kings Basin that officially seek coverage by Resolution of the Board or decision making authority, which could include the city council or Board of Supervisors if the incorporated cities or county, respectively, that are included in the Lower Kings Basin Areas A, B, and C;

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Kings River Conservation District, as follows:

1. The KRCD Board of Directors, acting as the local agency, hereby accepts the draft Lower Kings Basin GWMP
2. It is the Boards of Directors intent that the public and agencies in the Lower Kings Basin be provided time for review, comment and input on the Lower Kings Basin GWMP prior to the adoption of the GWMP by the Board of Directors.

3. The Board will consider the input of other public or private agencies overlying in the Lower Kings Basin or affected by the GWMP at a regularly scheduled public hearing no later than 60 days from the date of approval of this Resolution in order to receive comment and consider adopting the plan.
4. Prior to adopting the GWMP, the Board shall further notice the hearing to receive public comment and to determine whether to adopt the GWMP.
5. Following adoption of the GWMP by KRCD, each of the management entities within the area, as represented by the local districts or ditch companies, shall not be covered until coverage under the GWMP is approved by resolution of the appropriate decision making body, and the resolution is provided to KRCD and filed with the Lower Kings Basin GWMP.

THE FOREGOING RESOLUTION was passed and adopted by the Board of Directors of the Kings River Conservation District this 14<sup>th</sup> day of June 2005, by the following vote:

AYES: Directors Howe, McKean, Nonini, Quist, Waldner, Yoshimoto

NOES: None

ABSENT: Director Johns

  
President

ATTEST:

  
Secretary

SECRETARY'S CERTIFICATE

I, David L. Orth, Secretary of Kings River Conservation District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a Regular Monthly Meeting of the Board of Directors of said District duly and regularly held at the regular meeting place thereof on the 14<sup>th</sup> day of June 2005, of which meeting all of the members of said Board of Directors had due notice and at which a majority thereof were present.

WITNESS my hand and the seal of Kings River Conservation District this 14<sup>th</sup> day of June 2005.

  
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Secretary

(Seal)